

110TH CONGRESS
1ST SESSION

H. R. 4120

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2007

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To amend title 18, United States Code, to provide for more effective prosecution of cases involving child pornography, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Effective Child Por-
3 nography Prosecution Act of 2007”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) Child pornography is estimated to be a
7 multibillion dollar industry of global proportions, fa-
8 cilitated by the growth of the Internet.

9 (2) Recent data has shown that 83 percent of
10 child pornography possessors had images of children
11 younger than 12 years old, 39 percent had images
12 of children younger than 6 years old, and 19 percent
13 had images of children younger than 3 years old.

14 (3) Child pornography is a permanent record of
15 a child’s abuse and the distribution of child pornog-
16 raphy images revictimizes the child each time the
17 image is viewed.

18 (4) Child pornography is readily available
19 through virtually every Internet technology, includ-
20 ing Web sites, email, instant messaging, Internet
21 Relay Chat, newsgroups, bulletin boards, and peer-
22 to-peer.

23 (5) The technological ease, lack of expense, and
24 anonymity in obtaining and distributing child por-
25 nography over the Internet has resulted in an explo-

1 sion in the multijurisdictional distribution of child
2 pornography.

3 (6) The Internet is well recognized as a method
4 of distributing goods and services across State lines.

5 (7) The transmission of child pornography
6 using the Internet constitutes transportation in
7 interstate commerce.

8 **SEC. 3. EFFECTIVE CHILD PORNOGRAPHY PROSECUTION.**

9 (a) SECTION 2252.—Section 2252 of title 18, United
10 States Code, is amended—

11 (1) in subsection (a)(1), by inserting “or affect-
12 ing” after “ships in”;

13 (2) in subsection (a)(2), by striking “know-
14 ingly” and all that follows through “mails” and in-
15 serting “knowingly receives, distributes, or repro-
16 duces for distribution, in or affecting interstate or
17 foreign commerce, any visual depiction”;

18 (3) in subsection (a)(3)(B), by inserting “or af-
19 fecting” before “interstate”; and

20 (4) in subsection (a)(4)(B)—

21 (A) by inserting “in or affecting interstate
22 or foreign commerce” after “possesses”; and

23 (B) by striking “that has been” and all
24 that follows through “by computer”.

(1) in paragraphs (1) through (4) and (6) of subsection (a), by inserting “or affecting” before “interstate or foreign commerce” each place it appears; and

7 (2) in subsection (a)(5)(b)—

8 (A) by inserting “in or affecting interstate
9 or foreign commerce” after “possesses”; and

(B) by striking “that has been” and all that follows through “by computer” the second place it appears.

Passed the House of Representatives November 14,
2007.

Attest: LORRAINE C. MILLER,
Clerk.